



CALIFORNIA

Technician/AGR Administrative Instruction

National Guard Technicians - CAL NG Active Guard/Reserve

MILITARY DEPARTMENT

**P. O. BOX 269101
Sacramento, CA 95826-9101**

NUMBER

03-12

9 April 2003

NO EXPIRATION DATE

DUAL EMPLOYMENT FOR MILITARY TECHNICIANS

1. Generally, Federal employees, civilian and military, are prohibited from receiving pay from more than one Federal Government source. The laws on dual employment apply to agencies in the executive, legislative and judicial branches, corporations owned or controlled by the Government, and non-appropriated fund organizations under the jurisdiction of the armed forces.
2. However, in limited situations, an individual may have more than one Federal appointment, and may receive pay from more than one civilian job, i.e., only when: (1) the jobs total no more than 40 hours of work a week (Sunday to Saturday-excluding overtime); or (2) there is an authorized exception.
3. Authorized exceptions are granted for:
 - a. Pay from a position for services performed under emergency conditions relating to health, safety, protection of life or property, or national emergency. [5 CFR 550.503]
 - b. Exceptions in law, e.g., with agency approval Federal employees can work for the U.S. Postal Service [Title 39 USC, section 1001]
 - c. Expert and consultant jobs when working different hours as an intermittent employee.
 - d. Fees paid on other than a time basis (lump-sum pay for a report, research product or service not based on the number of hours or days worked).
4. A technician on leave without pay (LWOP) from one position may be paid for another position. However, paid leave counts toward the 40 hour per week limitation unless there is an authorized exception.
5. Technicians may not engage in outside (nonfederal) employment or activities that conflict with official duties and responsibilities.
6. Members of a Uniformed Service (Air Force, Army, Marines, Navy) on active duty may not receive pay from another Government position, *except* during terminal leave or unless specifically authorized by law. [5 USC 5534(a)]

7. Members of the National Guard and Army Forces Reserves may receive military pay and allowances in addition to pay from another Government position [5 USC 5534].

8. Direct questions concerning this TAAI to SMSgt Michael Hunt at CAGNET 63354, DSN 466-3354 or (916) 854-3354.

FOR THE ADJUTANT GENERAL:



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